

EL PASO HERALD

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The Blockade in West Texas

NOT the big corporations, but the small holders, are being hurt by the present land policy of the state with respect to west Texas mineral rights. If the object at Austin is the familiar baiting of corporations, it is not being served by hitting up the price of oil rights on the lands whose surface rights have already been sold, for the oil companies have all the lease-and-royalty contracts they can use for a long time, and the owner of the surface rights who has signed the lease is the man most vitally concerned in the price set on the oil rights by the state. At \$25 and \$50 an acre—figure it out—a section will cost from \$16,000 to \$32,000, the first payment in either case being more than the average four-section man or eight-section man can raise.

As the law stands now, the state will not sell the oil rights to anybody when the surface has already been sold—an absurd situation, resulting in an absolute deadlock; but even if it were possible to buy from the state the oil rights in these lands, the price demanded is such that only men and corporations with large capital can afford to pay it.

Consider that the oil business is purely speculative, and nobody knows what a certain acre or a certain section may contain until the well is actually in the ground; yet the land commissioner has arbitrarily fixed prices on lands within a certain distance of the prospect holes, prices so high that nobody can risk paying them on the straight gamble that is involved in the present stage of oil development.

Illustrating the fact that the present policy is playing directly against the interests of the "little fellow" in whose behalf the Austin government believes itself to be acting, may be mentioned the agreement made in some cases by the oil companies with the private "owners" to the effect that the oil corporations will advance the money to pay the state for the oil rights and will then take the cost out of any royalties that may accrue if producing wells be brought in. Plainly it becomes a matter of comparatively small concern to the oil companies what price the state demands, but it is a very live question with the "little fellow."

The policy of the state is calculated to make it absolutely impossible for anybody to develop the oil, for the small owners have not the means to buy the oil rights or to undertake the development work, and the large corporations are not going to invest any considerable amount of their capital in acquiring rights in territory absolutely barren so far as there is anything certainly known at this time.

The oil is doing nobody any good 1700 feet under ground. A policy of "conservation" that would prohibit development by exorbitant arbitrary charges, is a foolish and destructive policy. The land policy of Texas, so far as it relates to the western counties, is founded in ignorance of the true conditions, and is calculated to prevent the development of the mineral resources, especially oil. It is impossible for anybody to say there is oil under a certain piece of ground until a costly well has proved its existence, and what inducement is there for anybody to proceed with exploration if the state can step in at the first sign of success and assign any price per acre for oil rights even up to \$1000 or more per acre?

Under the system of lease-and-royalty the "little man," the fellow first on the ground, who has pioneered the ground and begun to develop it, who has perhaps lived on the land for several discouraging years trying to make something out of it—this man ought to be in position to reap some benefits if oil development should become possible; but under the present land and mineral policy of the state it is made absolutely impossible for him to derive any benefits except by placing himself under heavy obligations to the large corporations or to money lenders, tying himself hand and foot, and delivering over to the state an amount largely out of proportion to what the state has a moral right to demand of him, or to demand of the western country.

The land and mineral policy of the state ought to be revised to make it possible for the "little fellow" to hold on to what he has, and to derive benefit from buying the oil rights appurtenant to his surface holdings, and leading to oil development concerns. As it is, the whole policy of the state leads inevitably to the dispossession of the small holder and the final accession of the corporations to monopolistic holdings in fields which the state of Texas delivers over to them by its mistaken policy of blocking the "little fellow's" legitimate purposes.

The mineral laws are bad enough, making it almost impossible for the prospector and the small miner to do anything at all, and discouraging the largest mining interests so effectively that west Texas, one of the richest storehouses of mineral wealth in the world, lies practically untouched by pick and drill; these laws are bad enough, but as applied to oil prospecting and development they are hopelessly absurd, since the business of oil development is in its very nature all guess work, and nothing but the most promising speculative inducements can justify any capitalist in thoroughly prospecting a new and unknown field. It would be well if some kind of a royalty provision might be adopted to govern oil development on lands whose mineral lands are still controlled by the state, in which case the state could step in and take toll after oil was developed, but could not hinder the development of the field.

It's about an even break as to which most needs the help of the other, with the odds in favor of Mr. Roosevelt as against Mr. Taft.

Oklahoma sends out the news that a mob is threatening a negro in that state. Texas would look upon such a mob as a disgrace because it only threatened the negro.

It wouldn't be so bad if the innocent bystanders were not suffering in that Chicago gamblers' war.

R. A. Ballinger has given El Paso a square deal, and this community hasn't any ax up its sleeve for the secretary of the interior.

While Toyah is bringing in oil and Pecos is developing artesian wells, Colorado City is building a creamery and expects to become as famous for its butter and dairy products as either of the others in their own special lines.

It's rather a cold deal the New Mexico troops are getting out in that California encampment—frosty nights and general calls at 3 o'clock in the morning with no bedroom slippers or dressing gowns. This soldiering is terrible.

The postmaster general no doubt has had his ear to the ground on his trip through the west, notwithstanding that it was declared to be purely for pleasure. Frank Hitchcock gets more real pleasure out of the political game than any other living man, unless it is a certain prominent resident of the Oyster Bay neighborhood.

EDITORIAL AND MAGAZINE PAGE

UNCLE WALKER'S Denatured Poem

ONE man was given a misfit face by the gods that fashioned the human race. His chin was long and his nose was square, and his teeth were slanting most everywhere, and his skin was coarse and his mouth was wide, and horses looked at that face and shied. But his heart was good and his thoughts were clean, and he loved the true and abhorred the mean; the years went on, and the soul within—the soul of a man who hated sin—lit up that face till it seemed to shine with the beauty rare of a face divine. One man was given an angel face by the gods that fashioned the human race. And he took the road with a downward grade, he roamed star where so many strayed; he played the dice and he held carouse, was false to men and to all his vows. His thoughts were all of the fell delights of the heated days and the sordid nights. The years went on, and the soul within—the soul of a man who courted sin—had written down on that scrawny face a record dark with a long disgrace, and people said as he tottered past: "What a fiendish mug on that poor outcast!"

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Beatrice Fairfax On One Old Maid's Work

A GROUP of tiny girls were playing with their dolls on the hotel veranda, just below my window. A little, plain woman, dressed plainly and rather dowdily, passed and stopped for a moment to watch the play. She passed on and was barely out of earshot when one of the tiny mothers explained, importantly, "She's an old maid."

"What's an old maid?" asked a solemn, brown-eyed baby.

"I don't know," I guess it's something pretty bad," I said. "My nurse said she was awful glad she was going to be married; she didn't want to be no old maid, she said."

What an old maid is.

"I know what it is," said a precocious young person of six. "It means a old lady, who hasn't got no husband, nor children, nor nothing, and most everybody laughs at her."

And the babies went on with their play, handling their babies and household affairs in a way that showed that they did not reckon upon the fate of an old maid being theirs, at any rate.

The woman in question was an old maid, for on the hotel register, her name read "Miss A—."

She is here with her sister, a brother and their five children, and is supposedly taking a holiday.

Two of the children, restless girls of six and eight, sleep in her room. Across the hall, a baby of six months, who is teething, sleeps with his nurse.

The old maid plays nurse, and is supposed to be a very competent, so most of the care of the walling babies falls to the old maid aunt.

Nothing could be more beautiful than her devotion and tenderness to them.

Half of the time she sends the tired nurse in to sleep with the two little girls and she takes care of the baby.

I hear her soft voice crooning to him, soothing him.

In the morning she helps the little girls bathe and dress.

And all this is simply because they have not "Mrs." prefixed to their name and are not under some man's lordly protection and condescension.

The Trick That Failed The Herald's Daily Short Story

By Viggo Toepfer.

GENERAL POLTRIKOFF was leaning back in his comfortable leather covered desk chair. After a few moments' deep thought he turned around and looked at his adjutant, major Shelmotz, who was arranging a pile of official dispatches and papers on another desk.

"It is a—d—d unpleasant," he growled. "Kuntzoff is a fool. Now he has been in Berlin for more than three months and sent God knows how many reports, all dull of promise, and now today he writes that he can't do anything, that he has wasted all this time. He is a fool."

"Of course it is annoying," replied major Shelmotz, who was a very difficult, but I certainly did not think it would be impossible. I know Berlin pretty well. Kuntzoff might have made a success of the business and I think he is making a great mistake in giving up now, but he is too young to be diplomatic."

"But what will we do now, Shelmotz?" asked the general, who was thinking of the order of St. Nicholas of the first class.

"We will have to send somebody else to Berlin," replied the major, who was thinking of the order of St. Nicholas of the second class, and a lieutenant colonel's commission.

"But whom the devil are we to send?"

"Let me see, general."

"You! And what do you think I am going to do, you scoundrel? We have all we can do to get the work done here now, and you are the only one who knows all my affairs. No, I can't let you go, Shelmotz."

"You overestimate my assistance, general. You are sure to get me to do just as much without my help for a month or two," the major replied.

"Captain Polkyoff can take my place while I am away and you won't notice the difference. Besides, what does it matter if I think I am a little behind here, if we succeed in Berlin?"

"I suppose you are right," said the general, after pondering over the matter for a minute or two. "But if I do let you go, are you sure you will succeed?"

"Quite sure, general! Quite sure!"

Two days later the major took the train for Berlin, and a few days after his arrival he was comfortably settled in a flat near the war department. He was suffering from some eye trouble and had come to consult an eminent oculist, he said.

The major took his dinner every day in a large hotel much frequented by officers connected with the war department, with several of whom he was soon on intimate terms. Unfortunately the oculist he told him to stay in doors as much as possible, and especially to beware of the sharp evening air, but many of the officers soon made it a habit to spend the evenings in the major's cozy flat, where they were sure of a game of cards, excellent wines and choice cigars.

A few weeks passed, and every evening a little party assembled around the green table at the major's. The stakes were always rather low. German officers are not over paid, and the major himself was opposed to excessive gambling. At the tables he quietly studied the character of each of his guests. One evening, when they had all gone, he said to himself: "Captain von Fritzelwitz is the man. He is a born gambler. Anyone can see that from the expression of his eyes when he takes his winnings. His hands tremble and he hates to leave the table. He is in the artillery and

seems to be rather hard up, too. I will try him."

The next day was Sunday. It was a beautiful day and the major was sitting at an open window enjoying the fresh air. Fritzelwitz passed by. The major coughed, the captain looked up and saluted.

"Come up and keep me company for a little while," said the major.

Fritzelwitz came up. They had a bottle of wine together and a friendly chat. At last the major suggested a game of cards, and Fritzelwitz was more than ready. They went out for dinner together and then continued their game until very late. At first captain Fritzelwitz won, but later luck was against him, and when he stood up to go he had lost 1500 marks, but it was arranged that the major should let him have a chance to win the money back the next evening.

Monday morning they played again, and the major's winnings are now over 2000 marks. He was not at home to anyone else. The following night it was just the same. Fritzelwitz was terribly nervous and excited and played wildly, while the major was calm and cool as always.

Fritzelwitz's bad luck continued, and at last he threw down his cards and said in a voice of despair: "This has got to stop. I cannot pay what I have lost, major."

"This is a debt of honor," he said. "I have already told you I am to leave the day after tomorrow and I expect you to settle before then or I shall have to report the matter to your chief. You have no right to accept your winnings and refuse to pay when you lose. Your debt to me is a debt of honor and you must pay it within 24 hours."

"Then I am a ruined man and a friend is only one thing I can do."

He took his hat and walked toward the door.

"Wait a moment," said the major. "I will cancel your debt to me and besides give you 2000 marks if you will give me a plan of the new fortress at Plaster before eleven tomorrow."

Fritzelwitz stared at the major, too much astonished to say a word.

"You have your choice," the major continued. "I am interested in that fortress. Give me the plan and I will do as I said. Goodnight."

As in a dream the young captain left the major. He did not know what to do. The temptation was great. It was easy enough to get hold of the plans, which were indeed in his own office, but duty, honor, conscience—

Suddenly he felt a hand on his shoulder.

"What is the matter with you, Curt?"

It was his old schoolmate and brother-in-law, Fritz Dimpel.

"Fritz, I am ruined. Tell me what I can do."

"What has happened?"

Curt told him everything, Fritz whistled.

"You have been a fool, Curt. Really I ought not to help you, but for your sister's sake I will, if you give me your word of honor not to gamble again. Come along and just leave the matter to me."

The next morning at eleven Fritzelwitz entered the major's room and then he closed the door behind him. The contents of which the major examined carefully and looked up in his desk. Then he gave the captain a receipt

Standard Time As Arranged From National Observatory

THE GREGORIAN CALENDAR.

TOMORROW afternoon at 5 o'clock.

Washington time, summer will have its official ending and autumn will begin. It is then that Old Sol will make his annual pilgrimage across the equator on his journey to southern climes. It is true, that according to our method of measuring time he is slightly ahead of his schedule. It takes him 29 1/3 minutes less than a complete revolution of the earth around the sun to complete his journey from one autumnal equinox to the next. Therefore, if we were to count a full revolution of the earth around the sun as the time between two autumnal equinoxes, in 13,000 years we would find ourselves in the northern hemisphere having ice harvest in July and wheat harvest in January.

Time Reckoning a Puzzle.

This question of time reckoning, in one form or another always has been a puzzling thing to humanity. In bygone generations the problem was to adjust the yearly calendar to the seasons so that the seasons would conform to it. Before the days of Julius Caesar long distance timekeeping was not a very accurate thing at best. He revised the calendar, but in the 1500 years that it continued in force, the dates got 10 days ahead of the seasons and the equinoctial periods were all awry. Pope Gregory XIII, with a view to keeping the equinoxes and the calendar in harmony, instituted our present system of time reckoning, which is so nearly perfect that it will not vary more than a day in a thousand years.

Coming down to the small divisions of time, the basis of the Grecian and Roman methods was the source of the sun across the sky from sunrise to sunset. The length of the day varied in winter and summer, and as these two peoples insisted upon a 12 hour day at all times, it naturally followed that their hours were shorter in winter than in summer. They had all sorts of peculiar contrivances to reckon the varying hours. One was a modification of the Egyptian water clock, in which water was used instead of sand as in the hour glass. In the Greek and Roman times, the hour was measured by a clepsydra, a device which was mounted on a piece of cork. The scale varied for every day in the year, and was placed on a revolving drum that made a revolution in 365 days. The hour of the day was thus kept before the man with his pointer as he descended with the ebbing of the water. It was the Egyptians who divided the day into 24 hours, reckoning a day and night as one day. From that time the world got along very well with its day reckoning, until the tele-

in full for the debt and 2000 marks in crisp bills.

General Poltrikoff was delighted. The major had telegraphed his success and was now back in person with the costly plans.

General Espinoff, as commander in chief of the fortress, came to inspect the valuable documents. He sat down and began to examine them carefully. After a while he shook his head, mumbled something and left the room. Immediately afterwards he returned with his own masterpiece. From the plans of the new fortifications at Brest. He compared them with the plans on the table. They were identical in every detail.

A moment he stood silent, then he roared: "You are an ass, Shelmotz. I thought so as soon as I looked at your drawings. You have given me a copy of my own fortifications. There was no need of getting these from abroad."

Holy Nicholas," mumbled general Poltrikoff in terror. The major bit his lips and said nothing.

General Espinoff was smiling when he left, for Kuntzoff was his nephew and he was happy at Shelmotz's defeat.

Shortly afterwards Gen. Poltrikoff and his adjutant were transferred to an unimportant command in Siberia, a transfer that was practically banishment.

LETTERS To the HERALD

(All communications must bear the signature of the writer, but the name will not be published where such a request is made.)

TEXAS LAND RULINGS.

Pecos, Texas, Sept. 20, 1910.

Editor El Paso Herald:

It was with a great deal of pleasure I read your editorial of the 15th inst., headed "A Few Pertinent Remarks."

It is just such an article as will open the eyes of the people of the west and start the wheels in motion and result in our getting something besides the present privilege of creating a school fund for the children of east Texas.

Keep up the good work. Yours truly, J. E. Brown.

Pecos, Texas, Sept. 20, 1910.

Editor El Paso Herald:

As a daily appreciative reader of The Herald I desire to express my appreciation of your editorial in last Thursday's issue under the caption "A Few Pertinent Remarks." Many of us have been under the impression The Herald was antagonistic to our interests in this section, as it seemed to encourage the freakish rulings of the state land commissioner. In my whole experience as a business man I have never had to deal with any professed business concern so unreliable as the state land office. For example:

In this office is a letter from the commissioner replying to a request for price on a mineral section filed on and awarded in which he said it party would send him \$1500 he would then be in position to make a price, etc. Now, in this instance drillers were ready to proceed with the development of this property but as a matter of course declined to invest themselves in such an absurd agreement as the commissioner proposed. There are many circumstances which I could relate similar to this and, since The Herald is the only paper that is interested in this country, we feel that we must have your assistance; we know that we have got to contend, and stiffly, for our rights in the west, as the politicians, especially the land commissioner, has only his rulings in handling this western country to bring

By Frederic J. Haskin

Abe Martin

GENY'S WILL NOT USE TOOTH PASTE HERE

CALL AGAIN



Yesterday was Tilford Moots's birthday and his wife gave him a straight handed umbrella so he wouldn't leave it hangin' on a bar. Some folks are allus out at th' right time.

can send afternoon happenings in Congress to his paper long after the New York paper has gone to press, and the San Francisco citizen reads later news from Washington in his afternoon paper than does the citizen of Washington. On the other hand, the afternoon paper in Washington gets out three hours earlier than that of San Francisco, and the Washingtonian may be reading about Golden Gate happenings before the resident of San Francisco.

Accuracy of Time.

The accuracy of the nation's time is largely in the keeping of the naval observatory at Washington. The method by which that institution sets a nation's clocks is interesting and ingenious. In the first place, it has the cooperation of every national telegraph and telephone line in the country. At the hour of noon in Washington, eastern time, every railroad and telegraph clock hand in the country is set to correspond with the Washington noon. There is a great master clock, kept in an airtight, moisture proof vault, in which a uniform barometric pressure and a uniform temperature is maintained. The clock is controlled by the aid of a little thermostat and a small electric light. This clock is checked up several times a week by observations of the fixed or clock stars through the transit telescope. The National Almanac shows the exact position of each clock star for every hour, minute, and second in the year, and with the transit telescope and the Nautical Almanac, the astronomer making the observation is enabled to calculate the exact time to the minutest fraction.

(Continued on Next Page.)

14 YEARS AGO TODAY

(From The Herald of this date, 1896)

The Pierson hotel is made over so that it is practically a new house.

A thief broke into the show window of W. M. Shedd's bicycle shop and got away with only a can of oil.

The Bryan faithful met tonight for a medicine talk in the law office of Stanton & Turner.

In a ball game, El Paso defeated Denver by a score of 12 to 12.

Fred Feldman and wife were serenaded last night by the McGinty band.

W. W. Turney has gone to Marfa, J. L. Warren, formerly of Eddy, is in the city.

Joe Duper of Las Cruces has moved to this city.

J. J. Campbell returned today on the Santa Fe.

W. J. Camp and S. L. Long of Tucson are in town.

Charles Julian came down today from Mesilla for a visit.

Miss Jennie Snyder arrived this morning from Hermosillo, Mexico.

J. H. Nations returned this morning from a trip to Colorado.

Max Weber went north this morning over the Santa Fe on business.

W. T. Hixson and wife returned this morning from Chicago, where Mrs. Hixson has been visiting for several weeks.

James M. Paul returned this morning from an eastern trip after having been gone two months.

Mrs. A. A. Wheeler and Mrs. Carroll arrived today from Toyah. Mrs.

Wheeler will visit for awhile before returning home.

Rev. Adolph Hoffman returned today from the Methodist conference at Las Vegas, preparatory to removing with his family to his new charge at Raton, N. M.

Miss Lola E. Smith, formerly kindergarten teacher in this city, was married recently at Waverly, Ohio, to Earliest McCullough of Los Angeles, where they will live.

E. S. Newman returned this morning from Kansas City, accompanied by his brother, C. T. Newman, a prominent citizen of western Colorado, who will visit here for a few days.

George Rechart, brother of the McGinty club president, has accepted a position as assayer with the Commonwealth Mining and Milling company of Pearce, Ariz.

Erjude A. R. Ball and Fred Anderson of the Rincon Weekly, had a lively scrap at Las Cruces the other day.

The South Oregon Evangelical mission, conducted by the Trinity Methodists is meeting with success and quite an interest is being stirred up down in the rescue work.

J. M. Dean has been appointed as J. P. Dieter's proxy in the Democratic county chair, and will shortly call a convention of county officers.

The bachelors and summer grass widowers hold their postponed blowout on Thursday night next.

THE LAW OF LOYALTY

By Elbert Hubbard

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THE very first item in the creed of common sense is obedience.

Perform your work with a whole heart.

Revolts may be sometimes necessary, but the man who tries to mix revolt and obedience is doomed to disappoint himself and everybody with whom he has dealings.

To flavor work with protest is to fail in the protest and fail in the work.

When you revolt, why, revolt—climb, hike, get out, defy—tell everybody and everything to go to hades! That disposes of the case. You thus separate yourself entirely from those you have served—no one misunderstands you—you have declared yourself.

The man who quits in disgust when ordered to perform a task which he considers menial or unjust may be a pretty good fellow; but the malcontent who takes your order with a smile and then secretly disobeys is a dangerous proposition.

To pretend to obey and yet carry in your heart the spirit of revolt is to do half hearted, slipshod work.

If revolt and obedience are equally in power, your engine will then stop on the verge, and you benefit no one, not even yourself.

The spirit of obedience is the controlling impulse that dominates the receptive mind and the hospitable heart. There are boats that mind the helm and there are boats that do not. Those that do not get holes knocked in them sooner or later.

To keep off the rocks, obey the rudder.

Obedience not to slavishly obey this man or that, but it is the cheerful mental state which responds to the necessity of the case, and does the

thing without any back talk—uttered or expressed.

"Obedience to the institution—loyalty."

The man who has not learned to obey has trouble ahead of him every step of the way. The world has it in for him continually, because he has it in for the world.

The man who does not know how to receive orders is not fit to issue them to others. But the individual who knows how to execute the orders given him is preparing the way to issue orders and, better still, to have them obeyed.

There is known to me a prominent business house that by the very force of its directness and worth has incurred the enmity of many rivals. In fact, there is a very general conspiracy on hand to put the institution down and out.

In talking with a young man employed by the house he yawned and said: "Oh, in this quarter I am neutral."

"But you get your bread and butter from this firm, and in a matter where the very life of the institution is concerned I do not see how you can be a neutral." And he changed the subject.